

Exhibit R

Grace Chimene

April 26, 2022

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

LA UNION DEL PUEBLO)
ENTERO, et al,)
)
Plaintiffs,)
) CIVIL ACTION
VS.)
) NO.: 5:21-cv-844-XR
GREGORY W. ABBOTT, et al,)
)
Defendants.)
)

ORAL AND VIDEOTAPED DEPOSITION OF

GRACE CHIMENE

Designated Representative of League of Woman Voters of
Texas

APRIL 26, 2022

ORAL AND VIDEOTAPED DEPOSITION OF GRACE CHIMENE,
produced as a witness at the instance of the DEFENDANTS,
and duly sworn, was taken in the above-styled and
numbered cause on April 26, 2022, from 10:14 a.m. to
5:13 p.m. before Miah Parson, CSR in and for the State
of Texas, reported by oral stenography, at the
Disability Rights Texas offices, 2222 W. Braker Lane,
Austin, Texas 78758, pursuant to the Federal Rules of
Civil Procedure and the provisions stated on the record
or attached hereto.

1 A. Yes.

2 Q. Does the League contend that Ms. Espinoza is
3 disabled.

4 A. Yes.

5 Q. What is her disability?

6 A. She is a juvenile rheumatoid arthritis
7 wheelchair user.

8 Q. What major life functions or activities is Ms.
9 Espinoza unable to perform?

10 MR. CLANCY: Objection. Calls for a legal
11 conclusion.

12 A. I don't -- I don't know. I know that she is a
13 wheelchair user so I would presume that means she can't
14 walk. I also by having met -- I've actually met Julie
15 she has very limited range of motion of her arms and her
16 legs. She's a small person who cannot move well. She
17 is in a wheelchair.

18 Q. (BY MR. THOMPSON) Does the League know
19 anything else about Ms. Espinoza's disability?

20 A. Only that I asked her specifically because I
21 had met her what it -- what was -- why she was in the
22 wheelchair and she told me she had juvenile rheumatoid
23 arthritis.

24 Q. How old is Ms. Espinoza?

25 A. She told me, so I could be wrong, it's -- -

1 as Exhibit 2 says that Ms. Espinoza is concerned that
2 anyone who assists her could be accused of violating
3 SB1. Do you see that?

4 A. Yes.

5 Q. And it further says she no longer wants to vote
6 in-person. Do you see that?

7 A. Yes.

8 Q. Does the League know the basis for Ms.
9 Espinoza's concern that anyone who assists her could be
10 accused of violating SB1?

11 A. Yes.

12 Q. What is the basis for her concern?

13 A. She is very concerned about the oath which --
14 that the assisters have to take. That her concern is
15 about the part that says you only can read the ballot
16 and that assister would have to sign that they're only
17 to read the ballot. That is the part that she expressed
18 that they wouldn't be able to do all the other
19 activities that she needs an assister to do to help her
20 with voting and the communication that would have to go
21 back and forth between her and her assister.

22 Q. Does the League know whether Ms. Espinoza is
23 aware that she can receive assistance from someone who
24 doesn't take the oath?

25 MR. CLANCY: Objection. Vague. Calls for

1 Exhibit 2, correct?

2 A. Yes.

3 Q. Has the League identified any other members
4 that it contents are injured or will be injured by SB1?

5 MR. CLANCY: Objection to the extent it
6 calls for a legal conclusion.

7 A. I have I have other people I know that our
8 League members that have sent me emails or filled out a
9 survey letting me know that they had issues with voting
10 by mail. So my answer is yes. What was the question
11 again.

12 MR. THOMPSON: Objection; unresponsive.

13 Q. (BY MR. THOMPSON) Has the League identified
14 any members other than the five listed in the
15 interrogatory responses that they contend are injured or
16 will be injured by SB1?

17 MR. CLANCY: Objection to the same. Calls
18 for a legal conclusion.

19 A. So yes.

20 Q. (BY MR. THOMPSON) Who are those members?

21 A. They are members who contacted me either via
22 emails or on the voter survey.

23 Q. Can you provide their names?

24 A. Not off the top of my head.

25 Q. Where can I find their names?

1 A. The names would be on the voter survey or on
2 the emails that were -- 'cause some people did both,
3 that were submitted at your request like --

4 Q. You're referring to documents produced as part
5 of discovery?

6 A. Yes.

7 Q. Has the League had any communications with
8 those members about their alleged injuries apart from
9 the emails and the voter survey to which you're
10 referring?

11 A. Say it -- say it again.

12 Q. Has the League had other communications with
13 identified members about their alleged injuries besides
14 the communications that took place in the emails and the
15 voter survey produced in discovery?

16 A. I did speak on the phone. We're often called
17 and asked to provide voters, if the media calls and says
18 can you please help us find a vote who's having this
19 issue so that we can explain to the public and to the on
20 watchers what is going on. So I contacted some folks
21 who I knew had an issue with voting by now and so they
22 told me their story either in an email, but also by
23 telephone.

24 Q. And who are the people you contacted by
25 telephone?

1 Q. Understand you don't know the number of voters
2 who might fit that category. My question is slightly
3 different. Can you identify any such voter other than
4 Julie Espinoza, regardless of what the total number is?

5 A. I do not have and I personally as Grace
6 Chimene, and the League of Women Voters does not have an
7 identity of a individual voter. I don't believe at this
8 time.

9 Q. Okay. The next topic in the deposition notice,
10 Topic 20?

11 A. 20?

12 Q. Says the League's knowledge and factual basis
13 for its contention in Paragraph 161 of your complaint
14 that many people will be unwilling to risk criminal
15 prosecution for inadvertently violating the oath's
16 restrictions, but would serve as an assistant, but for
17 those penalties. Do you see that?

18 A. Yes.

19 Q. Sitting here today, can you identify any person
20 who fits this criteria?

21 A. I've had League members come up to me and say
22 that. Do I know their names, no. There's many League
23 members, but I have had League people say that they're
24 not going to be assisting voters because of the oath.

25 Q. You don't know their names?

1 Q. Do you remember what Section 6.06 is about?

2 A. No.

3 Q. For purposes of my question just assume that
4 Section 6.06 is about the prohibition on compensation.
5 Does that make sense to you?

6 A. So factual basis. So when -- so will chill
7 voter's abilities select assistant of the person's
8 choice when voting. What I would say is factual basis.
9 That I have heard -- my concern is for the members, the
10 voters, of course, themselves, but the members of the
11 League that go out and assist a voter and they are
12 putting themselves at risk because they may accidentally
13 or inadvertently or without take a form of compensation
14 that they don't realize is compensation. So these would
15 be league members perhaps who would get to park for free
16 and free parking, and then go in and help an assisted if
17 they were helping somebody. This is about you said 606
18 is about the compensation. If -- if that league member
19 or assister goes to someplace in assisting -- and as
20 assisting a voter and they accept a cup of coffee if
21 they -- if they, you know, have a glass of tea with
22 somebody is that taking compensation from somebody?
23 Often times, you know, people are very happy to provide
24 something to this person who helped them. It doesn't
25 mean what -- it means that they are just sharing

1 something for the voter, with the assistant. You know
2 if they give them a cookie. I don't know. That --
3 that is my concern there is that the voters won't be
4 able to use -- happily people go over and help them
5 because they would be concerned -- not the voter, but
6 more like the member would be concerned that they would
7 accidentally be accused of taking something from a
8 voter. So that's my understanding.

9 MR. THOMPSON: Objection; nonresponsive.

10 Q. (BY MR. THOMPSON) Topic 21 is about voter's
11 ability to select the assistant of their choice,
12 correct?

13 A. Yes, but.

14 Q. Can you identify any voters who are unable to
15 select the assistant of their choice due to the
16 prohibition on compensation during the March 2022
17 primary elections.

18 MR. CLANCY: Objection to the extent it
19 calls for legal conclusion.

20 A. So the -- I can't name an individual voter. I
21 do recall getting notices from some leagues that they
22 were not to show up at a nursing home and provide any
23 information or assistance with voting by mail. That was
24 at the nursing home asking us -- asking one of the
25 ladies not to participate in that. I don't remember